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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,411	10/08/2003	Richard Redpath	RSW920030107US1	7411
23307 7590 11/16/2007 SYNNESTVEDT & LECHNER, LLP 1101 MARKET STREET 26TH FLOOR PHILADELPHIA, PA 19107-2950			EXAMINER SHIN, KYUNG H	
			ART UNIT 2143	PAPER NUMBER
			MAIL DATE 11/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/681,411	Applicant(s) REDPATH, RICHARD	
	Examiner Kyung H. Shin	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) ☐ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413) |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) ☐ Information Disclosure Statement(s) (PTO/SB/08) | 5) ☐ Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) ☐ Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is responding to application papers filed on **9-4-2007**.
2. Claims **1 - 18** are pending. Claims **1, 7, 13** have been amended. Claims **1, 7, 13** are independent.

Response to Arguments

3. Applicant's arguments filed 9/4/2007 have been fully considered but they are not persuasive.

3.1 Applicant argues that the referenced prior art does not disclose, "Content is stored both on an external enterprise server and on the WOX (operating as a local web server), so it can be provided on response to a user request whether or not the device is connected to the external enterprise server". (see Remarks Page 8, 10)

Zhigang discloses a mobile terminal operating as a server and proxy type functions. (see Zhigang paragraph [0028], lines 1-5; paragraph [0041], lines 4-10; paragraph [0043], lines 1-13) Lincke discloses local access capabilities for a server type system. Local access is equivalent to accessing a web server via a client system when no network access is available. Lincke discloses this capability. (see Lincke col. 14, lines 4-9: web page access, no network connection) Biliris discloses content stored on an external server and an internal (mirror, mobile system) server. (see Biliris paragraph [0003], lines 4-8; paragraph [0006], lines 3-6) By definition, mirroring implies a set of content on one system (external server) is duplicated on another (internal server) system. By definition, mirroring is defined as, "Duplicating data onto another

computer at another location.”. ((<http://www.answers.com/topic/mirror>) in the Computer Encyclopedia section)

3.2 Applicant argues that the referenced prior art does not disclose, “a device is provided combination web server and proxy (WOX) residing on the device”. (see Remarks Page 11); “a device that is connectable to a server via a network and that is provided with a combination web server and proxy (WOX) residing on the device. (see remarks Page 11)

Zhigang discloses a software implementation for the web server and proxy functional system. A software implementation of the set of functions disclosed within the prior art invention discloses the capability for a program product consisting of multiple program modules, which can be housed within a single device. Figure 7 discloses three components (user interface, processor unit, memory/storage) comprising a system that performs web server and HTTP command (GET and POST) type functions. (see Zhigang paragraph [0041], lines 4-10; paragraph [0043], lines 1-13; paragraph [0075], lines 1-5; paragraph [0068], lines 11-16; paragraph [0076], lines 1-4; paragraph [0076], lines 10-12; paragraph [0074], lines 10-12: software implementation, can be single device (residing on device)). Zhigang discloses remote access to the web server and web proxy functions. Zhigang and Lincke combination discloses the added capability to access the web server functions via local access. (see Lincke col. 14, lines 4-9: web page access, no network connection)

3.3 Applicant argues, “user cannot access content on a server with transparency as to

whether the device is connected to a network or not". (see Remarks Page 11)

Zhigang discloses remote access to the web server and web proxy functions. The Zhigang and Lincke combination discloses the added capability to access the web server functions utilizing local access capabilities. (see Lincke col. 14, lines 4-9: web page access, no network connection)

3.4 Applicant argues that the referenced prior art does not disclose, "motivation for modifying a system such as Zhigang". (see Remarks Page 12)

The rejection to each independent and dependent claim includes a citation from the referenced prior art that discloses the basis for the rejection. Each obviousness combination clearly indicates the claim limitation the combined reference prior art teaches. In addition, a cited passage from the referenced prior art clearly indicates the motivation for the obviousness combination. Each obviousness combination's disclosure is equivalent to the Applicant's claimed limitation(s) for the claimed invention.

Achieved advantage is a valid motivation for the combination of referenced prior art. The combination of each referenced prior art combination states a motivation for the combination, which translates to an achieved advantage for the combination. All of the referenced prior art is in the same field of endeavor and a search by one skilled in the art would have returned the referenced prior art within the set of returned prior art.

It is not a requirement that the referenced prior art solve the same problem as claimed invention in order to be combinable. There are three criteria for combination:

(1) same field of endeavor; (2) motivation for the combination; and (3) successful disclosure of claim limitation due to prior art combination.

All referenced prior art is in the same field of endeavor (web server type content delivery systems). (see Zhigang paragraph [0028], lines 1-5; see Lincke col. 7, lines 66-67; see Biliris paragraph [0013], lines 14-17; paragraph [0041], lines 1-4: web content delivery)

A search of applicant's invention field of endeavor would have revealed a set of prior art including the referenced prior art. Motivation is provided within the Office Action for each combination. The combination of the indicated referenced prior art successfully discloses the indicated claim limitations and the claimed invention.

3.5 Applicant argues that the referenced prior art does not disclose, "the claimed limitation of a combination web server and proxy that operates as a web server when processing an HTTP GET command and as a proxy when processing an HTTP POST request". (see Remarks Page 12)

Zhigang discloses the capability to process HTTP commands (GET and POST), web proxy type commands. (see Zhigang paragraph [0041], lines 4-10; paragraph [0043], lines 1-13)

Zhigang discloses a mobile terminal operating as a server and proxy type functions. (see Zhigang paragraph [0028], lines 1-5; paragraph [0041], lines 4-10; paragraph [0043], lines 1-13) Lincke discloses local access to web content from a server type system. (see Lincke col. 14, lines 4-9: web page access, no network

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connection) Biliris discloses the capability to mirror content for a web server. (see Biliris paragraph [0003], lines 4-8; paragraph [0006], lines 3-6: mirror capability for web content server)

3.6 The examiner has considered the applicant's remarks concerning a method and system by which a combined local mirror website and connection proxy is provided on a mobile user device, to provide access to essentially all web content available from the central server, or to a predefined subset thereof, but in an environment when the device is in both a connected or disconnected environment. Applicant's arguments have thus been fully analyzed and considered but they are not persuasive.

After an additional analysis of the applicant's invention, remarks, and a search of the available prior art, it was determined that the current set of prior art consisting of Zhigang (20050014489), Lincke 6,590,588) and Biliris (20020078233) discloses the applicant's invention including disclosures in Remarks dated September 4, 2007.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim **1 - 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Zhigang et al.** (US PG PUB No. **20050014489**) in view of **Biliris et al.** (US

PGPUB No. **20020078233**) and further in view of **Lincke et al.** (US Patent No. **6,590,588**).

Regarding Claims 1, 13, Zhigang discloses in a device that is connectable to a server via a network, a method for providing local access to content stored on the server, and a computer program product for interaction between devices and server resources via a network, the computer program product comprising a computer-readable storage medium having computer-readable program code embodied in the medium, comprising the steps of:

Zhigang discloses wherein providing the device with a combination web server and proxy (WOX) residing on the device, and the capability to operate as a web server (see Zhigang paragraph [0014], lines 3-8; paragraph [0028], lines 5-9; paragraph [0031], lines 21-25: web server, web proxy; paragraph [0075], lines 5-9; paragraph [0076], lines 9-11: software, program product; paragraph [0074], lines 10-12: configuration can be single device), and processing a HTTP GET request and a HTTP POST request (see Zhigang paragraph [0044], lines 5-14; paragraph [0055], lines 4-7: HTTP POST, HTTP GET request processing). Zhigang does not specifically disclose mirroring the server, and operating as a web server when processing an HTTP GET request and as a proxy when processing an HTTP POST request.

However, Biliris and Lincke disclose:

- a) the WOX mirroring the server; (see Biliris Paragraph [0003], lines 4-8; paragraph [0006], lines 3-6: mirror capability for web content server)
- b) the WOX operates as a web server when processing an HTTP GET request and as a proxy when processing an HTTP POST request. (see Lincke col. 30, lines 56-57; col. 32, lines 13-17; col. 38, lines 52-54: flag designation for HTTP GET and HTTP POST request processing, server or proxy)

It would have been obvious to one of ordinary skill in the art to modify Zhigang as taught by Biliris to enable the capability to mirror content between web server systems, and to modify Zhigang as taught by Lincke to enable the capability to designate a processing protocol for the HTTP GET and HTTP POST request processing commands. One of ordinary skill in the art would have been motivated to employ the teachings of Biliris in order to enable the capability to reduce access times when content is distributed among multiple content servers (see Biliris paragraph [0003], lines 1-4: " ... It is often advantageous when distributing digital content across a packet-switched network to divide the duty of answering content requests among a plurality of geographically dispersed servers. ... "), and to employ the teachings of Lincke in order to enable the capability to improve a system and apparatus in the selection of the type of communications to utilize (see Lincke col. 1, line 63-67: " ... Therefore what is desired is an improved system, apparatus, and method that enables users to make an informed selection before initiating data communications. The improved method informs the user directly through the communications device with minimal required user action. ... ").

Regarding Claims 2, 8, 14, Zhigang discloses the method, system, computer program product of claims 1, 7, 13, further comprising the steps of:

- b) delivering HTTP GET requests from the WOX when the device is disconnected from the network. (see Zhigang paragraph [0055], lines 4-7: process HTTP GET request; paragraph [0054], lines 1-6: process HTTP requests when disconnected)

Zhigang does not specifically disclose a mirror capability.

However, Biliris discloses:

- a) mirroring at least a subset of the content stored on the server on the WOX; (see Biliris Paragraph [0003], lines 4-8; paragraph [0006], lines 3-6: mirror capability for web content server)

It would have been obvious to one of ordinary skill in the art to modify Zhigang as taught by Biliris to enable the capability to mirror content between web server systems. One of ordinary skill in the art would have been motivated to employ the teachings of Biliris in order to enable the capability to reduce access times when content is distributed among multiple servers. (see Biliris paragraph [0003], lines 1-4)

Regarding Claims 3, 9, 15, Zhigang discloses the method, system, computer program product of claims 2, 8, 14, whereby the content is stored on the server, WOX. (see Zhigang paragraph [0012], lines 5-7: content on web server) Zhigang does not

specifically disclose a copy of all of the content stored on the server is mirrored.

However, Biliris discloses wherein a copy of all of the content stored on the server is mirrored. (see Biliris Paragraph [0003], lines 4-8; paragraph [0006], lines 3-6: mirror (i.e. partial or all content storage) capability for web content server)

It would have been obvious to one of ordinary skill in the art to modify Zhigang as taught by Biliris to enable the capability to mirror content between web server systems. One of ordinary skill in the art would have been motivated to employ the teachings of Biliris in order to enable the capability to reduce access times when content is distributed among multiple servers. (see Biliris paragraph [0003], lines 1-4)

Regarding Claims 4, 10, 16, Zhigang discloses the method, system, computer program product of claims 1, 7, 13, further comprising the steps of: determining the connected/disconnected state of the device to the network;

- a) wherein when the device is connected to the network, and an HTTP POST request is submitted to the WOX, the WOX delivers the HTTP POST request to the server; (see Zhigang paragraph [0044], lines 5-14: HTTP POST command processed; paragraph [0014], lines 3-8; paragraph [0028], lines 5-9; paragraph [0031], lines 21-25; web proxy, web server) and
- b) when the device is disconnected from the network, and an HTTP POST request is submitted to the WOX, the WOX stores the HTTP POST request for later delivery to the server. (see Zhigang paragraph [0044], lines 5-14: HTTP POST command processed; paragraph [0054], lines 6-12: processed request during

disconnected time period)

Regarding Claims 5, 11, 17, Zhigang discloses the method, system, computer program product of claims 4, 10, 16, whereby the stored HTTP POST requests are delivered to the server when the device next connects to the network. (see paragraph [0044], lines 5-14: HTTP POST request processing; paragraph [0054], lines 6-12: process request during disconnected time period, request processed at time of next connection)

Regarding Claims 6, 12, 18, Zhigang discloses the method, system, computer program product of claims 4, 10, 16, whereby the HTTP POST requests and HTTP GET requests comprise requests in HTTPS format. (see Zhigang paragraph [0036], lines 15-22: secure communications protocol utilized (i.e. SSL, HTTPS))

Regarding Claims 7, Zhigang discloses a system for interaction between devices and server resources via a network, the system comprising:

- a) a device configured with a combination web server and proxy (WOX) residing on the device; (see Zhigang paragraph [0014], lines 3-8; paragraph [0028], lines 5-9; paragraph [0031], lines 21-25: web server, web proxy capabilities; paragraph [0074], lines 10-12: configuration can be single device) and
- b) a server connectable to the device; (see Zhigang paragraph [0031], lines 21-25: web server: web server connectable to device)

Zhigang discloses wherein the WOX is the server, and operates as a web server

(see Zhigang paragraph [0014], lines 3-8; paragraph [0028], lines 5-9; paragraph [0031], lines 21-25: web server, web proxy), and processing an HTTP GET request and processing an HTTP POST request. (see Zhigang paragraph [0044], lines 5-14; paragraph [0055], lines 4-7: HTTP POST and HTTP GET processing) Zhigang does not specifically disclose whereby configured to mirror the server, and operate as a web server when processing an HTTP GET request and as a proxy when processing an HTTP POST request.

However, Biliris and Lincke disclose:

- c) configured to mirror the server(see Biliris paragraph [0003], lines 4-8; paragraph [0006], lines 3-6: mirror capability for web content server), and operates as a web server when processing an HTTP GET request and as a proxy when processing an HTTP POST request (see Lincke col. 30, lines 56-57; col. 32, lines 13-17; col. 38, lines 52-54: flag designation for HTTP GET or POST request processing)

It would have been obvious to one of ordinary skill in the art to modify Zhigang as taught by Biliris to enable the capability to mirror content between web server systems, and to modify Zhigang as taught by Lincke to enable the capability to designate a processing protocol for the HTTP GET and HTTP POST request/response commands. One of ordinary skill in the art would have been motivated to employ the teachings of Biliris in order to enable the capability to reduce access times when content is distributed among multiple servers (see Biliris paragraph [0003], lines 1-4), and to employ the teachings of Lincke in order to enable the capability to improve a system and apparatus for the selection of the type

of communications to utilize (see Lincke col. 1, line 63-67).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung H. Shin whose telephone number is (571) 272-3920. The examiner can normally be reached on 9:30 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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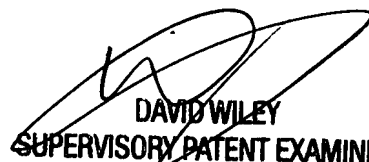
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KHS

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Patent Examiner
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October 29, 2007



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